

**PLANNING AND DEVELOPMENT DEPARTMENT
MEMORANDUM 16-17**

REVISED 07/25/16

DATE: July 25, 2016
TO: Honorable Mayor Joyce Downing and City Council Members
FROM: James Hayes, AICP, City Manager *JH*
Brook Svoboda, Director of Planning and Development *BS*
Becky Smith, AICP, Senior Planner *BS*
SUBJECT: CR-80 Access Easement granted to 2255 E 104th Ave., LLC
CR-81 Private Sanitary Easement granted to 2255 E 104th Ave., LLC
CR-82 Maintenance Easement granted to 2255 E 104th Ave., LLC

BACKGROUND

2255 E 104th Ave, LLC, also known as Northglenn Self Storage, submitted an application for Final Development Plan (FDP) review by the Planning Commission. The proposed project will develop one three story building on the site that will contain 811 self-storage units and a small amount of office space. The parcel is zoned I-2 industrial, making the proposed use of storage ("warehousing") on this property a use by right. The Planning Commission has authority to approve FDP submittals that meet the criteria set forth in Section 11-6.5-5-2(b) of the Zoning Ordinance.

In 1973, the property owner at that time granted a portion of the parcel for the City to expand the right-of-way along 104th Avenue. The City did expand the right-of-way, but did not use all of the dedicated land for the expansion. As a result, there is a City owned parcel that exists between the property and 104th Avenue, thereby making the site landlocked. The plans show that the ingress and egress to the site is located over the City owned parcel located between 104th Avenue and the development site. Therefore, the applicant will need to obtain an access easement from the City.

The closest sanitary main line for the development to tie into is on Irma Drive. The Utility Plan shows that they will connect to the City's main by installing a private sanitary line, which runs parallel to 104th, on the City owned parcel. Therefore, the applicant will need to obtain a private sanitary easement from the City.

The applicant has proposed to complete the trail along 104th Avenue, on the City owned property, as well as install landscaping directly in front of their project. The applicant will be responsible for trail and landscaping maintenance directly in front of the development. The Parks Department will take over trail maintenance for the portion constructed west of the parcel where to where it connects to Irma Drive.

The Planning Commission approved the Final Development Plan with the conditions that the development receive City Council approval for the following items outlined below.

1. *The applicant will obtain City Council approval for an access easement.*
2. *The applicant will obtain City Council approval for a private sanitary easement.*
3. *The applicant will enter into a Landscaping Maintenance Agreement with the City.*

City Council action is required to grant easements to private development. Included for reference, as Attachment 1 is the Planning Commission staff report. Approval of the proposed resolutions will allow the development to continue to move forward in the permitting process.

RECOMMENDATION

Staff recommends approval of CR-80, CR-81 and CR-82

STAFF REFERENCE

Brook Svoboda, Director of Planning and Development bsvoboda@northglenn.org or 303.450.8937

ATTACHMENT

ATTACHMENT 1 Northglenn Self Storage Planning Commission Staff Report

Case No. FDP-2-16

Applicant: Pamlico Investments, Inc
Location: 2255 E 104th Ave.
Ordinance: 11-6.5-1 through 11-6.5-5

NORTHGLENN SELF STORAGE STAFF REPORT AND RECOMMENDATION

REQUEST:

The applicant, Pamlico Investments, Inc., requests Planning Commission approval for a Final Development Plan to develop self-storage at 2255 E 104th Avenue.

PROPOSAL:

The proposed project will develop one three story building on the site that will contain 811 self-storage units and some office space. The building coverage on the site will be 36,914 SF, which is 33.3 percent of the lot coverage. The total building square footage, with all three floors, is proposed to be 110,718 SF. The remainder of the site will be paved or landscaped. Attachment A shows an aerial view of the project site.

BACKGROUND:

The parcel is zoned I-2 Industrial, which allows warehousing as a use by right. The applicant is seeking Planning Commission approval for Final Development Plan to allow the construction of the three story building on the site located at 2255 E 104th Avenue for the purpose of self-storage. The site is currently vacant and has not been previously developed.

In 1973, the property owner at that time, granted a portion of the parcel for the City to expand the right-of-way along 104th Avenue. The City did expand the right-of-way, but did not use all of the dedicated land for the expansion. As a result currently there is a City owned parcel that exists between the property and 104th Avenue. The Applicant will be required to obtain City Council approval for an Access Easement to provide ingress and egress to the property, a Private Sanitary Easement to connect to the City's sanitary line in Irma Drive, and a Landscape Maintenance Agreement to maintain the trail and landscaping being proposed on City Property. These documents shall be executed prior to the release of a building permit.

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2255 E 104th Avenue FDP

SURROUNDING LAND USES:

North: Planned Unit Development (PUD) – Residential

South: City of Thornton

West: I-2 Industrial – Charlie’s Auto & Truck Sales

East: City of Thornton

APPROVAL CRITERIA:

Section 11-6.5-5-2(b) of the Zoning Ordinance, Planning Commission criteria for Final Development Plan approval. This includes checks for master plan conformance and certain site specific characteristics.

ANALYSIS:

The project is located on the southwest corner of 104th Avenue and York, and borders the City of Thornton to the south and east. The proposed use of storage (“warehousing”) on this property is considered a use by right for industrial zones. The Master Plan shows that this parcel was a candidate for a future rezoning to neighborhood commercial. However, the property owner/applicant wish to develop this parcel under the current zoning of I-2 Industrial.

The site is currently vacant and has been since the development of Northglenn in the 1960s. The parcel is located south of the Northglenn Industrial Park and located next to Charlies Auto, another industrial zoned parcel. The site is landlocked and the main access is proposed to be on the City owned parcel located between this site and 104th Avenue. Prior to issuing a building permit, the applicant will provide proof that they obtained an Access Easement from the City of Northglenn City Council. The easement will be recorded with the Adams County Clerk and Recorder.

Building Footprint / Site Plan

Information submitted for the FDP depicts one three story building on the site, totaling 110,718 SF. The site is oriented towards 104th Avenue as the front setback. The proposed height is 42’ 3”; I-2 zoning allows a maximum height of 65’.

The proposed setbacks for the site are 75’ in the front (south), from the property line. The proposed side setbacks are 61’ 10” and the rear setback is 46’. This exceeds the required 12’ side and 15’ rear setbacks required in this zone. All proposed setbacks are compliant pursuant to Sections 11-25-5(b-d) of the Zoning Ordinance.

Section 11-25-5. Lot Requirements in Industrial Zones.

(a) Exceptions. The following setbacks for uses allowed in all

industrial zones shall apply, except where such use abuts a major arterial street or where such use abuts any other zone. In these cases, all buildings and structures shall have a front setback of 75 feet. All sides of a lot which abut a major arterial street shall be treated as frontage, and front setback requirements shall apply.

(b) Minimum Front Setback. 50 feet.

(c) Minimum Side Setback. None, provided that walls are located on property lines, otherwise five feet; provided, however, if rear access to the property is not available, then a 12-foot setback shall be required on one side; provided, further, that on corner lots, front setback requirements shall apply on the side street.

(d) Minimum Rear Setback. 15 feet, which may include one-half the width of an alley.

Parking

The Applicant provided a Traffic Analysis memorandum that included a discussion about onsite parking. The memorandum states that “the 4th Edition of the ITE Parking Generation Manual states that the average peak period parking demand for this use (Code 151) is 1.35 spaces for 100 vehicles”. The trip generation analysis provided indicates that 11 spaces would be sufficient for this site; the proposal shows 13 dedicated spaces. The ordinance allows for the Director of Planning and Development to determine appropriate parking for uses not described in Section 11-36-6(a) through (s) minimum off street parking requirements. Attachment B is the applicant’s Traffic Analysis memorandum.

Traffic

The Traffic Analysis memo was referred to the Public Works Engineers and the City of Thornton. Public Works staff recommended a ONE-WAY ARROW opposite the entrance in the median to clearly identify that a left turn out movement is not available. A “NO U TURN” sign was recommended to be placed on the traffic signal mast arm controlling the eastbound approach, to encourage vehicles wanting to make a U-turn to move forward into the immediately available left turn lane to make a legal U-turn. The applicant will comply with these recommendations.

Drainage

The Applicant has provided a Drainage Plan that has been reviewed by the City’s Public Works Engineer. The Applicant will be required to submit a Final Drainage Report that addresses any outstanding items identified by the City Engineer prior

to releasing a building permit. In addition, the Applicant will be required to grant the City a drainage easement as a condition of the Stormwater Facility Management Agreement. The Agreement shall be executed prior to Final approval of the Drainage Report.

Landscaping and Fencing

Total landscape area equates to 25.5% of the site. This exceeds the City's standard of 12% required on-site landscaping. No prohibited species are proposed. In addition to the onsite landscaping, the applicant is proposing improving the City owned parcel with a trail that runs parallel to the property and all the way west to meet the existing city trail that runs parallel to Irma Drive. The Applicant will be required to enter into a Landscaping and Trail Maintenance Agreement with the City, to maintain the portion direction in front of their parcel, prior to the issuance of a Certificate of Occupancy. The total tree count proposed onsite and on the city property tree count exceeds the required standard established for Commercial/Industrial site development

The landscape plan shows a 6' ornamental iron fence surrounding the property. Ornamental iron fencing is an allowed material according to Section 11-34-4(a) of the ordinance:

Section 11-34-5(c) Height of Fences, Screens, and Hedges

(c) Within the Front Setback. No fence, screen, or hedge of any type more than 42 inches in height shall be permitted between the front setback line of the building and the front property line. Fences, screens, or hedges up to eight feet in height in the front setback are allowed in industrial zones when approved by the Planning Commission.

This regulation requires that the planning commission approve fences in the front setback that are in excess of 42" in industrial zones. Staff finds that the proposed fence will cause no visual impediments to vision for vehicles, cyclists or pedestrians.

Elevations and Lighting

Elevations are included with the FDP submittal. Architectural standards and requirements in the ordinance for industrial zoned properties are limited. The following architectural standards apply to Industrial zoned buildings.

Section 11-25-6. Architectural and Site Design Standards, Industrial Zones.

(a) Architectural Standards, Industrial Zones.

(1) Building Mass. Exterior walls shall be broken by recessed or projected entryways, recessed windows, use of more than

one finish material, use of more than one color, use of architectural details, or such other technique or combinations of techniques so as to prevent the appearance of massive and featureless walls.

(2)Exterior finish materials. A variety of exterior finish materials are encouraged. No material designed or manufactured as an exterior wall surface is prohibited. Smooth face concrete block, concrete panels, and metal siding may be the primary or predominant finish materials but should be used in conjunction with other materials. At least 25 % of building elevations facing public streets should be of materials other than the predominant finish material.

(6)Exterior Building Lighting. Exterior building lighting shall be adequate to provide for safety and security on site. Building lighting shall be provided at all entryways and on all sides of the building. All light sources shall be screened from view of adjacent properties and public rights-of-way. A plan to reduce unnecessary lighting after business hours shall be provided.

The proposed structure does show variation in building mass and materials. Materials include brick trim and masonry, a mix a vertical and horizontal metal panels, awnings and storefront glass.

A lighting plan was included with the submittal. According to the luminaire schedule, 18 lights are proposed on the property. The light fixture specification shows the lights will be downlight. The plan shows that there will be minimum impacts from lighting to adjacent properties.

Administration

The Final Development Plans have been reviewed by the Development Review Committee and a City Planner in accordance with Section 11-6.5-5 of the City of Northglenn Zoning Ordinance. (Attachment B) The Civil Construction Plans, Drainage Report, Stormwater Facility Maintenance Agreement, and O&M Manual are currently under review by the Public Works Department and will be approved prior to releasing any building permits. The North Metro Fire Rescue District (NMFRD) is also reviewing the plans and will approve the construction plans prior to issuing the building permits.

Notice was provided in the June 30, 2016 Northglenn-Thornton Sentinel Newspaper. Property owners surrounding the proposed facility were notified via mail of the proposal, as required by Section 11-41-3(a) of the City's Zoning Ordinance. In addition, the property in question was subject to a sign posting as required by Section 11-41-3(b).

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2255 E 104th Avenue FDP

COMMISSION OPTIONS:

The Commission's options in this case are as follows:

- 1) Approve this request, with or without conditions;
- 2) Deny this request for reasons stated; or
- 3) Table the request for further consideration.

STAFF'S RECOMMENDED FINDINGS OF FACT:

- 1) The development substantially complies with the current Master Plan;

The Comprehensive Plan does show that this site had potential for future rezoning to a neighborhood serving commercial use, however, the property owner/developer is choosing to develop the site pursuant to the current zoning. While this is contemplated in the Comprehensive Plan, it is not in conflict as the site is currently zoned for this use.

- 2) The development is integrated into the existing terrain and surrounding landscape, and is designed to protect abutting properties and community amenities. Building sites are, to the extent feasible:

The development is compliant with the architectural and landscaping requirements that are designed to minimize impacts to the surrounding properties.

- 3) The architectural style is designed in harmony with the prevailing character and scale of buildings in the neighborhood and the City through the use of appropriate building materials, screening, breaks in roof and wall lines, landscaping, and other architectural techniques. The development meets the architectural and site design standards set forth in Section 11-25-6 of the Northglenn Zoning Ordinance.

The architectural style is in harmony with the prevailing character of the in the neighborhood. A variation in materials is shown which create breaks in wall lines. Landscaping is proposed in a greater intensity on the North and South sides of the structure to provide a buffer to the neighboring properties and 104th Avenue right-of-way.

- 4) The development will be served with adequate water supply and waste disposal systems including storm water facilities.

The City of Northglenn Department of Public Works and Stormwater Coordinator have reviewed this Final Development Plan and continue to

review the drainage report, civil plans, stormwater management plan and operations and maintenance manual. No adverse impacts are anticipated and all public works issues or concerns will be addressed prior to release of building permits.

- 5) The development maximizes the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent public rights-of-way.

The applicant will comply with Public Works recommendations to mitigate any impacts on the adjacent street or nearest intersection.

- 6) The development plan shows adequate measures to prevent pollution of surface or groundwater, minimizes erosion and sedimentation, and prevents changes in groundwater levels, increased run-off and potential for flooding. Drainage has been designed so that run-off shall not be increased, groundwater recharge is maximized, and neighboring properties will not be adversely affected.

The site will have a Public Works approved drainage plan, stormwater management plan and operations and maintenance plan prior to obtaining a building permit.

- 7) The development does not place excessive demands on City services and infrastructure.

The City of Northglenn Department of Public Works, Fire District, and Stormwater Coordinator have reviewed this Final Development Plan and have not indicated that this project will cause any excessive impacts.

STAFF RECOMMENDATION:

Staff recommends approval of the Final Development Plan as submitted based on the above recommended findings of fact and with the prescribed conditions at the end of this report and outlined in the Planning Commission resolution 2016-04.

RECOMMENDED CONDITIONS OF APPROVAL:

- 1) Prior to issuance of a building permit, the applicant will complete the following items:
 - a. The applicant will obtain City Council approval to access the site via the City owned parcel between their lot and 104th Avenue through

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2255 E 104th Avenue FDP

- an access easement.
- b. The applicant will obtain City Council approval of a private sanitary easement through the city owned parcel to connect to the City's main line in Irma Drive.
 - c. The applicant will obtain City Council approval to install and maintain the trail and landscaping proposed on the City owned parcel.
 - d. The applicant will provide proof of dedicated water line easements for the required fire hydrant.
 - e. The applicant will provide proof of a dedicated drainage easement for their pond.
 - f. The applicant will address any NMFRD concerns on the FDP within 90 days of the entitlement approval or the approval will become void.

All of these items will be administered or documented by staff prior to issuance of any building permits.

RESPECTFULLY SUBMITTED:

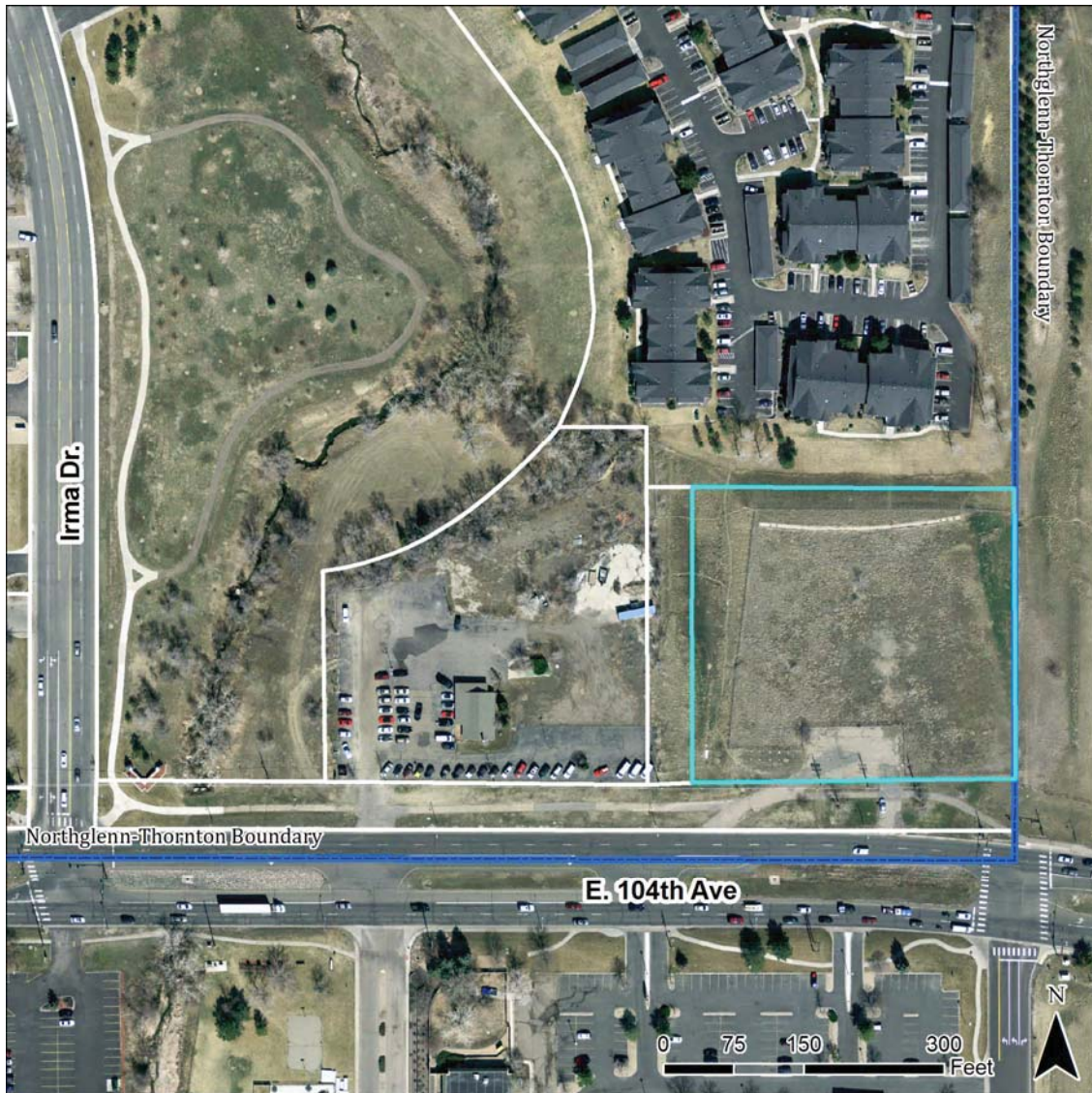
Rebecca M Smith, AICP
City Planner

WHAT'S NEXT: Upon approval, civil and architectural plans will be submitted to the Development Review Committee (DRC) for review by staff. Upon DRC approval building permits will be issued and construction will begin.

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2255 E 104th Avenue FDP

ATTACHMENT A



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2255 E 104th Avenue FDP

Attachment B

PROJECT DATA

NAME OF PROJECT: NORTHGLENN SELF-STORAGE
ADDRESS: 2255 E 104TH AVE, NORTHGLENN COLORADO
ZIP CODE: 80233
LEGAL DESCRIPTION: SUB: NORTHGLENN FOURTEENTH FLING DESC: 9.310 FT OF E. 325 FT OF TRACT 43
PROPOSED USE: SELF-STORAGE
OWNER/AUTHORIZED AGENT: ARCWEST ARCHITECTS

PROJECT TEAM

DESIGNER:	FIRM:	NAME:	TELEPHONE#:	EMAIL:
ARCHITECTURAL	ARCWEST ARCHITECTS	TODD HEIRLS	(303)-455-7741	THEIRLS@ARCWESTARCHITECTS.COM
CIVIL	VERMILION PEAK ENG.	BRIAN KROMBEIN	(720)-402-6070	BRIAN@VERMILIONPEAK.COM
LANDSCAPE	THE HENRY DESIGN GROUP	MONIKA KRAPICHLER	(303)-446-2368	MKRAPICHLER@HENRYDESIGNGROUP.COM
LIGHTING DESIGN	TIM MARISCH	TIM MARISCH	(208)-245-0835	TMARISCH@GMAIL.COM
FIRE ALARM	-	-	-	-
PLUMBING	-	-	-	-
MECHANICAL	-	-	-	-
SPRINKLER STANDPIPE	-	-	-	-
STRUCTURAL	-	-	-	-

APPLICABLE ZONING CODE

NORTHGLENN ZONING CODE: I-2

SITE DATA:
SIZE: 110,718 SF
TOTAL BUILDING COVERAGE FOOTPRINT: 36,914 S.F. 5F. (33.3%)

ZONING RESTRICTIONS:

	ALLOWED	PROPOSED
BUILDING HEIGHT	65'	42' - 3"
NUMBER OF STORIES	---	3
FRONT YARD SETBACK, PRINCIPAL STRUCTURE	75'	120' - 7" FROM BACK OF CURB
SIDE YARD SETBACK, PRINCIPAL STRUCTURE	12'	6'1" - 10'
REAR YARD SETBACK, PRINCIPAL STRUCTURE	15'	46'

LANDSCAPING INFORMATION:

	TOTAL	PERCENTAGE
AREA OF PAVING + STRUCTURE	74,470 SF	74.5%
TOTAL LANDSCAPING	25,740 SF	25.5%
TOTAL:		100%

APPLICABLE CODES

2009 IBC	BUILDING CODE
2009 IECC	ENERGY CONSERVATION
2009 IFGC	FUEL GAS
2009 IPC	PLUMBING
2009 IMC	MECHANICAL
2009 IFC	FIRE CODE
2011 NEC	ELECTRICAL

BASIC BUILDING DATA:

CONSTRUCTION TYPE:	II-B
SPRINKLERS:	YES NFPA-13
STANDPIPS:	---
FIRE DISTRICT:	CITY OF NORTHGLENN
FLOOD HAZARD AREA:	NO
BUILDING HEIGHT:	42' - 3"
GROSS BUILDING AREA:	110,718 SF
FLOOR	
3RD FLOOR	36,902 S.F.
2ND FLOOR	36,902 S.F.
1ST FLOOR	36,914 S.F.
TOTAL =	110,718 S.F.

ALLOWABLE AREA:

OCCUPANCY:	STORAGE, S-1 MODERATE
ACCESSORY OCCUPANCY:	BUSINESS
INCIDENTAL USES:	N/A
SPECIAL USES:	N/A
SPECIAL PROVISIONS:	N/A
MIXED OCCUPANCY:	N/A

STORY NO.	DESCRIPTION & USE	BLDG AREA PER STORY (ACTUAL)	TABLE 506 AREA	FRONTAGE INCREASE	SPRINKLER INCREASE	ALLOWABLE AREA OR UNLIMITED	MAXIMUM BUILDING AREA
1	STORAGE / OFFICE	46,500 SF (NOT INCLUDING PENITAGE)	17,500	0	35,000	---	---
2	STORAGE	34,413 SF	17,500	---	35,000	---	
3	STORAGE	34,413 SF	17,500	---	35,000	---	

ALLOWABLE HEIGHT:

	ALLOWABLE (TABLE 503)	INCREASE FOR SPRINKLERS	SHOWN ON PLANS	CODE REFERENCE
TYPE OF CONSTRUCTION	TYPE II-B		TYPE II-B	
BUILDING HEIGHT IN FEET	65	---	42' - 3"	---
BUILDING HEIGHT IN STORIES	3	---	3	---

FIRE PROTECTION REQUIREMENTS:

TYPE II-B CONSTRUCTION DOES NOT REQUIRE BUILDING ELEMENTS TO BE RATED

LIFE SAFETY SYSTEM REQUIREMENTS:

EMERGENCY LIGHTING:
EXIT SIGNS:
FIRE ALARM:
SMOKE DETECTION SYSTEMS
PANIC HARDWARE

LIFE SAFETY PLAN REQUIREMENTS:

ACCESSIBLE PARKING:

LOT OR PARKING AREA	TOTAL # OF SPACES		# OF ACCESSIBLE SPACES PROVIDED			TOTAL # ACCESSIBLE PROVIDED
	REQUIRED	PROVIDED	REGULAR WITH 5' ACCESS AISLE	VAN SPACES WITH 13'2" AISLE	8' AISLE	
---	---	11	0	0	1	1
---	---	---	---	---	---	---
TOTAL	---	12	---	---	---	---

PLUMBING FIXTURE REQUIREMENTS (TABLE 2902.1):

USE	WATERCLOSETS		URINALS	LAVATORIES		SHOWERS/ TUBS	DRINKING FOUNTAINS	
	MALE	FEMALE		MALE	FEMALE		REGULAR	ACCESSIBLE
REQUIRED	---	---	---	---	---	---	---	---

FLOOR AREA EXCLUDING STAIR & ELEVATOR SHAFTS = 36,894 SF
WAREHOUSE OCCUPANCY = -- OCCUPANTS
STORAGE FACILITY REQ. 1 FIXTURE PER 100 OCCUPANTS.
-- / 2 = -- OCCUPANTS

-- / 100 = -- OCCUPANTS
2 ADA FIXTURE REQUIRED PER GENDER

SERVICE SINK.

SPECIAL APPROVALS:

NO SPECIAL APPROVAL REQUIRED

ENERGY SUMMARY:

ENERGY REQUIREMENTS: THE FOLLOWING DATA SHALL BE CONSIDERED MINIMUM AND ANY SPECIAL ATTRIBUTE REQUIRED TO MEET THE ENERGY CODE SHALL ALSO BE PROVIDED. EACH DESIGNER SHALL FURNISH THE REQUIRED PORTIONS OF THE PROJECT INFORMATION FOR THE PLAN DATA SHEET. IF PERFORMANCE METHOD, STATE THE ANNUAL ENERGY COST FOR THE STANDARD REFERENCE DESIGN VS. ANNUAL ENERGY COST FOR THE PROPOSED DESIGN.

CLIMATE ZONE - 3

METHOD OF COMPLIANCE: PRESCRIPTIVE

THERMAL ENVELOPE:

ROOF / CEILING ASSEMBLY

DESCRIPTION: INSULATION ENTIRELY ABOVE DECK R-25ci
ATTIC AND OTHER - STEEL FRAMING R-38

EXTERIOR WALLS

DESCRIPTION: WALLS ABOVE GRADE
METAL FRAMED R-13 + R-7.5ci
MASS R-7.6ci

OPAQUE DOORS
SWINGING U-0.70
ROLL-UP OR SLIDING U-0.50

CURTAIN WALL / STOREFRONT U-FACTOR:
CURTAIN WALLSTORE FRONT U-FACTOR 0.45
ENTRANCE DOOR U-FACTOR 0.77

WALLS BELOW GRADE

DESCRIPTION: MASS R-12.5ci

FLOOR SLAB ON GRADE

DESCRIPTION: HEATED SLAB R-15 FOR 24"

NORTHGLENN STORAGE FACILITY FINAL DEVELOPMENT PLAN

PROJECT SUMMARY

BUILDING DESCRIPTION: SELF-STORAGE BUILDING TOTALING 110,718 SF. THE BUILDING WILL BE A CONDITIONED 3 STORY WITH A FOOT PRINT OF 36,914 SF.

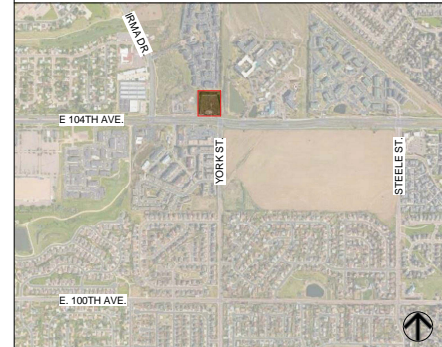
SCOPE OF WORK: SELF-STORAGE BUILDING WITH SITE GRADING, RETAINING WALLS.

FDP-SHEET INDEX

SHEET NUMBER	SHEET NAME	REV.	DATE	ISSUE	ISSUE
3. PROJECT DATA					
AD.0	PROJECT DATA	3	5/20/16	COMMENT REVISIONS	FDP SUBMISSION
1. CIVIL					
CE.0	SURVEY		5/20/16		FDP SUBMISSION
CE.0	UTILITY PLAN		5/20/16		FDP SUBMISSION
CE.1	GRADING PLAN		5/20/16		FDP SUBMISSION
2. LANDSCAPING					
EL.0	LANDSCAPING PLAN		5/20/16		FDP SUBMISSION
3. ARCHITECTURAL					
AD.2	SITE PLAN	3	5/20/16	FDP REVISION 2	FDP SUBMISSION
AD.3	ROOF PLAN	1	5/20/16	FDP REVISION 1	FDP SUBMISSION
AD.0	ELEVATIONS	2	5/20/16	FDP REVISION 2	FDP SUBMISSION
AD.1	ELEVATIONS	1	5/20/16	FDP REVISION 1	FDP SUBMISSION
4. LIGHTING DESIGN					
EL.0	LIGHTING DESIGN		5/20/16		FDP SUBMISSION

SIGNATURE BLOCK:	
SIGN:	DATE:
PRINT:	DATE:

VICINITY MAP

ARCWEST
ARCHITECTS2408 W. 12nd Avenue Suite A Denver, CO 80211
ARCWESTARCHITECTS.COM 303-685-1741NORTHGLENN SELF STORAGE
FINAL DEVELOPMENT PLAN
2255 E 104TH AVE, NORTHGLENN, CO.

REVISIONS:

No.	Date	Description
1	5/11/16	FDP REVISION 1
2	6/28/16	FDP REVISION 2
3	7/12/16	COMMENT REVISIONS

SHEET ISSUE DATE:

07/01/16 - FDP
PROJ. NO. 1565
ARCWEST ARCHITECTS, INC.

SHEET TITLE:
PROJECT DATA

SHEET NUMBER:

A0.0

ALTA/ACSM LAND TITLE SURVEY
2255 E. 104TH AVENUE
A PORTION OF TRACT 43, NORTHGLENN - FOURTEENTH FILING
LOCATED IN THE SE 1/4, SECTION 11, T. 2 S., R. 68 W., 6TH P.M.,
CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO



VICINITY MAP
SCALE: 1"=2000'

LEGAL DESCRIPTION

THE SOUTH 310 FEET OF THE EAST 325 FEET OF TRACT 43,
NORTHGLENN - FOURTEENTH FILING,
COUNTY OF ADAMS,
STATE OF COLORADO.

TITLE POLICY NOTES

VERMILION PEAK ENGINEERING RELIED UPON TITLE COMMITMENT NO. 15000310221
PREPARED BY STEWART TITLE GUARANTY COMPANY WITH AN EFFECTIVE DATE OF
OCTOBER 6, 2015 AT 5:30 P.M. FOR ALL INFORMATION REGARDING EASEMENTS,
RIGHTS-OF-WAY OR TITLE OF RECORD IN THE PREPARATION OF THIS SURVEY.

SCHEDULE B - SECTION 2 EXCEPTIONS

1. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION, NOT SHOWN BY THE PUBLIC RECORDS. THESE ITEMS ARE NOT PLOTTABLE.
2. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS. THESE ITEMS ARE NOT PLOTTABLE.
3. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS. THESE ITEMS ARE SHOWN HEREON.
4. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS. THESE ITEMS ARE NOT PLOTTABLE.
5. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT. THESE ITEMS ARE NOT PLOTTABLE.
6. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; MINERALS OF WHATSOEVER KIND, SUBSURFACE AND SURFACE SUBSTANCES, IN, ON, UNDER AND THAT MAY BE PRODUCED FROM THE LAND, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B) OR (C) ARE SHOWN BY THE PUBLIC RECORDS OR LISTED IN SCHEDULE B. THESE ITEMS ARE NOT PLOTTABLE.
7. WATER RIGHTS, CLAIMS OR TITLE TO WATER. THESE ITEMS ARE NOT PLOTTABLE.
8. A. TAXES FOR THE YEAR 2015, AND SUBSEQUENT YEARS, SPECIAL ASSESSMENTS OR CHARGES NOT CERTIFIED TO THE COUNTY TREASURER.
B. TAXES FOR THE YEAR 2015, A LIEN, BUT NOT YET DUE OR PAYABLE. THESE ITEMS ARE NOT PLOTTABLE.
9. UTILITY EASEMENTS, AS SET FORTH ON THE PLAT OF NORTHGLENN - FOURTEENTH FILING, RECORDED AUGUST 2, 1961, AT RECEPTION NUMBER 692381. THESE ITEMS ARE SHOWN HEREON.
10. EXTRATERRITORIAL SEWER SERVICE AGREEMENT, WITH THE CITY OF THORNTON, RECORDED NOVEMBER 7, 1986, IN BOOK 3227, AT PAGE 540. THESE ITEMS ARE NOT PLOTTABLE.
11. EXISTING LEASES AND TENANCIES. THESE ITEMS ARE NOT PLOTTABLE.

GENERAL NOTES

1. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-6-508, C.R.S.
2. DATE OF FIELD WORK: OCTOBER 22, 2015.
3. THERE IS NO OBSERVED EVIDENCE OF THE SUBJECT PROPERTY BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
4. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP 0801C0314H, DATED MARCH 5, 2007, THE PROJECT SITE LIES IN ZONE X, WHICH IS DEFINED AS, "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
5. UTILITIES SHOWN ARE BASED ON VISIBLE FIELD LOCATIONS OR MAPPING RECEIVED FROM THE CITY OF NORTHGLENN AND XCEL ENERGY.
6. BENCHMARK: NATIONAL GEODETIC SURVEY MONUMENT NUMBER K411 PER THE NGS DATA SHEET, 5/8" STEEL ROD- ELEVATION: 5286.40 (NAVDBS)
7. THE SUBJECT PROPERTY CONTAINS AN AREA OF 100,748 SQUARE FEET OR 2.31 ACRES, MORE OR LESS.
8. ZONING: I-2 (INDUSTRIAL)
9. THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
10. THERE IS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
11. THE SOUTH LINE OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 68 WEST BEARS N89°35'50"W PER THE PLAT OF NORTHGLENN - FOURTEENTH FILING. ALL OTHER BEARINGS ARE RELATIVE THERETO. ALL MONUMENTS ARE SHOWN HEREON.

SURVEYOR'S STATEMENT

TO STEWART TITLE GUARANTY COMPANY, PAMUCO INVESTMENTS, INC, AND
ALEXANDER RIDGS PLLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS
BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL
REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND
ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 5, 6(C), 6(D), 7(A),
8, 11(b), 13, 14, 16, 17, 18 AND 19 OF TABLE A THEREOF. THE FIELD WORK
WAS COMPLETED ON OCTOBER 22, 2015.

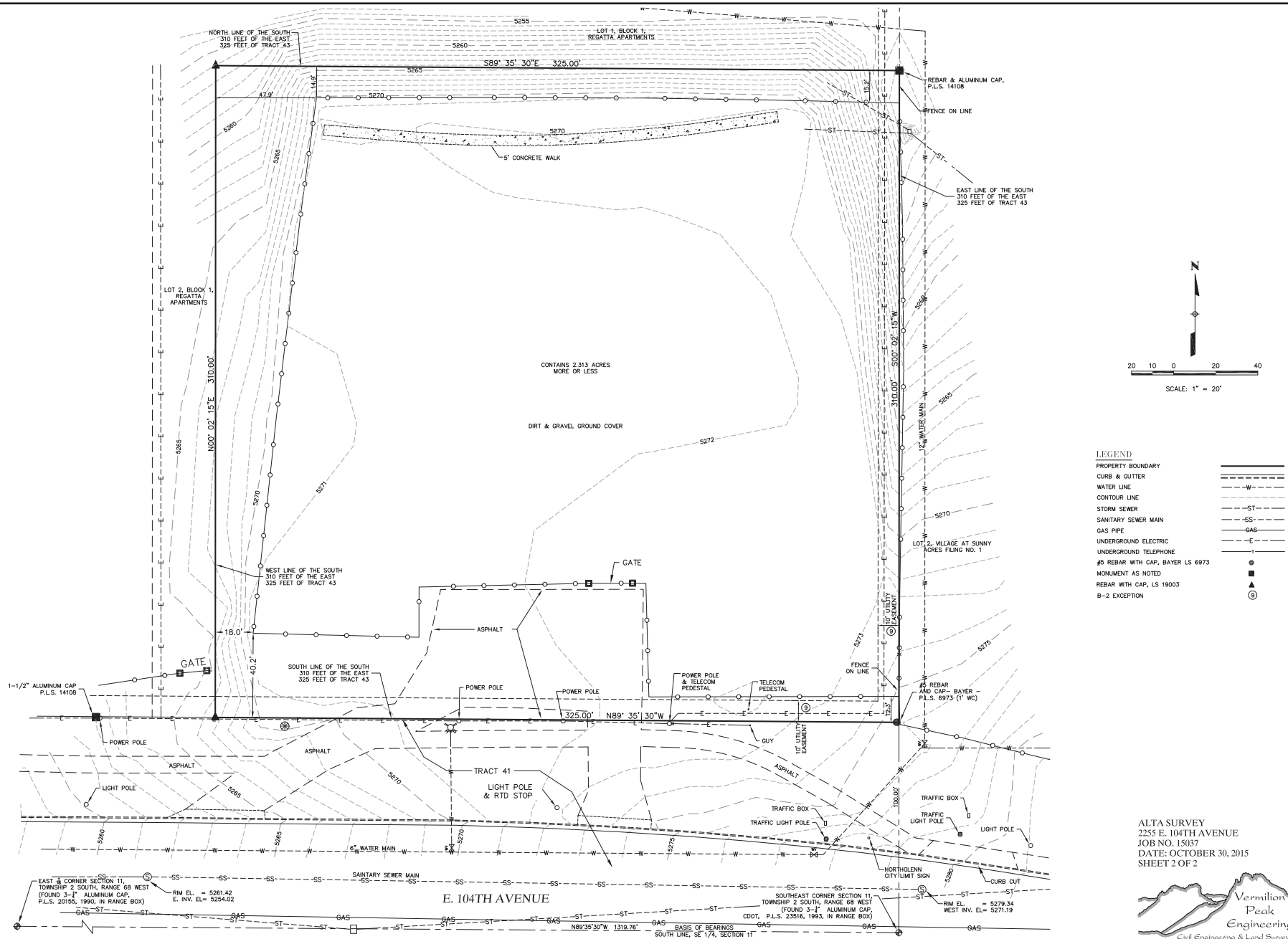

BRIAN KROMBEN, P.E., PLS
COLORADO PLS NO. 38344
FOR AND ON BEHALF OF
VERMILION PEAK ENGINEERING LLC

DATE 10/30/15



ALTA SURVEY
2255 E. 104TH AVENUE
JOB NO. 15037
DATE: OCTOBER 30, 2015
SHEET 1 OF 2

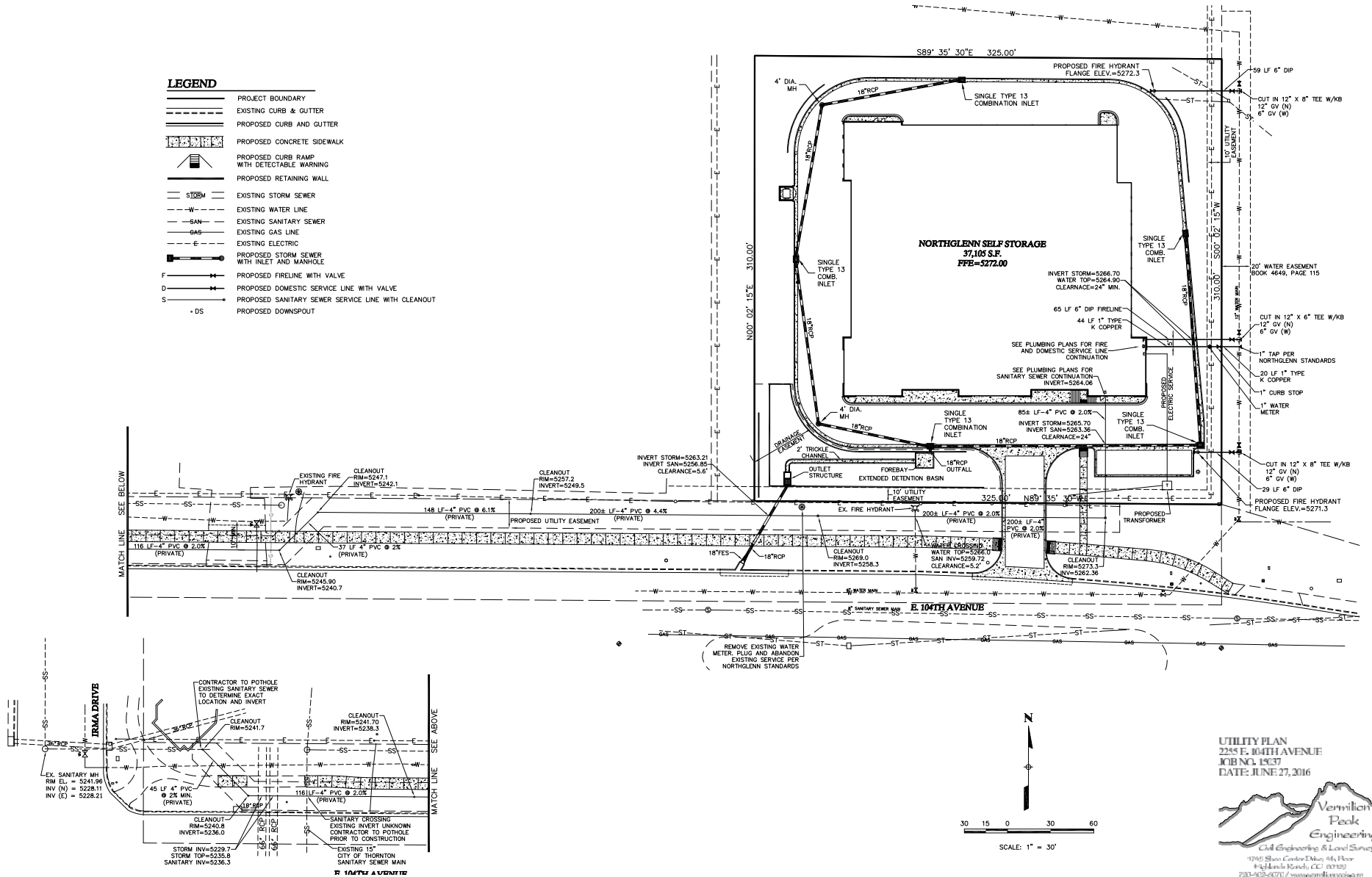

Vermilion
Peak
Engineering
Civil Engineering & Land Surveying
1740 Shaco Center Drive, 4th Floor
Highlands Ranch, CO 80129
720-402-6070 / www.vermilionpeak.com



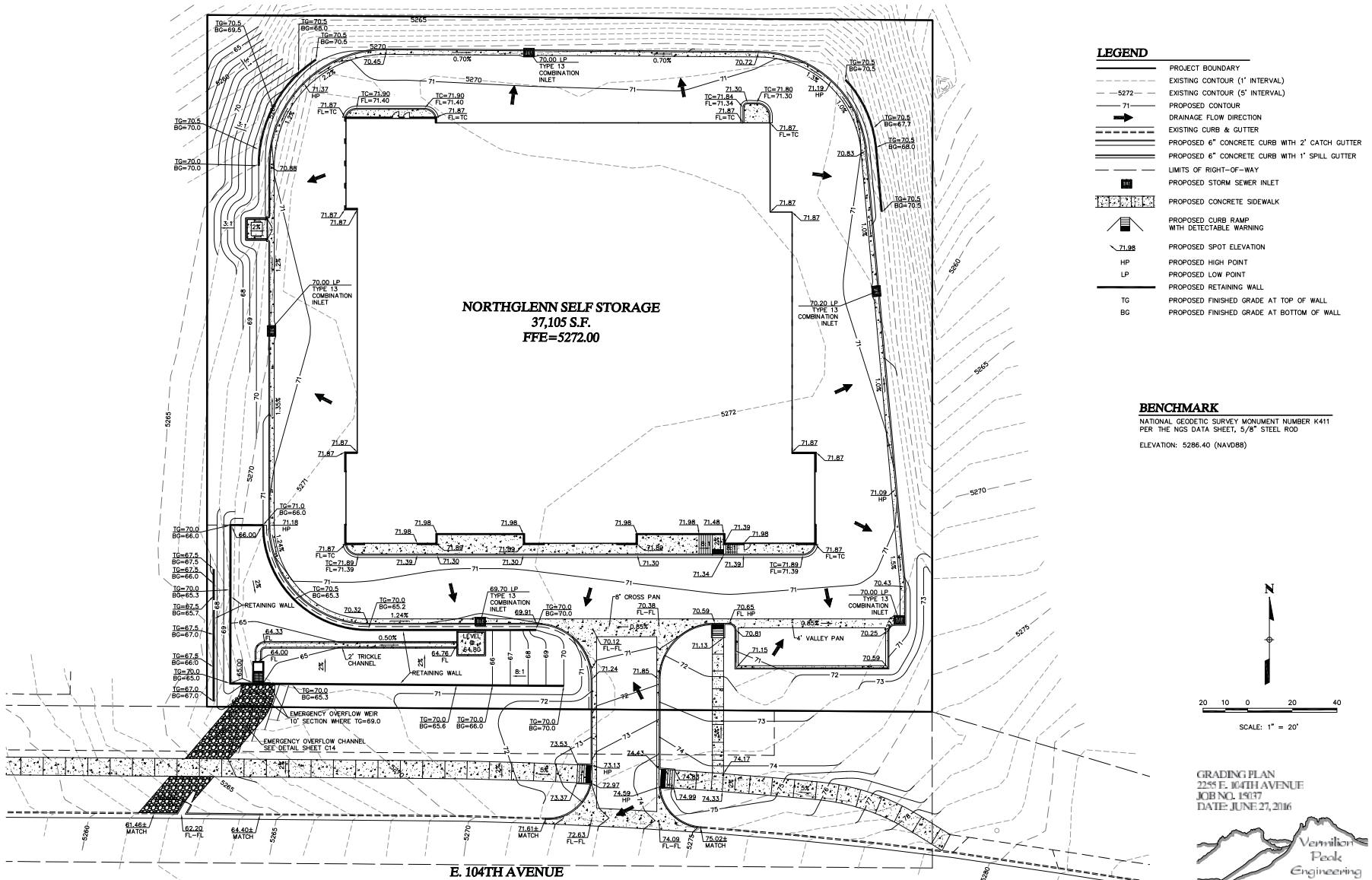
FINAL DEVELOPMENT PLAN
2255 E. 104TH AVENUE
 A PORTION OF TRACT 43, NORTHGLENN - FOURTEENTH FILING
 LOCATED IN THE SE 1/4, SECTION 11, T. 2 S., R. 68 W., 6TH P.M.,
 CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO

LEGEND

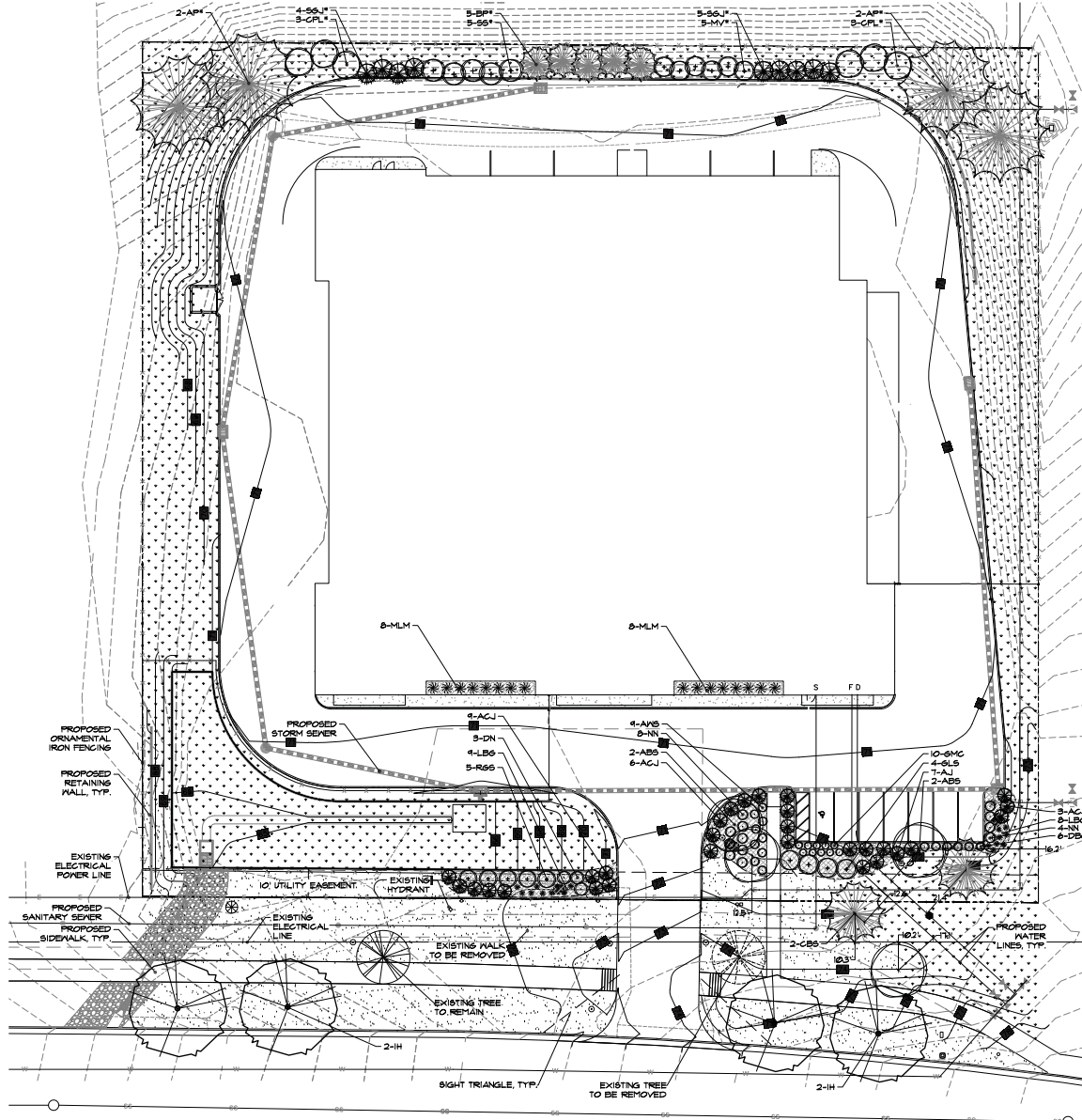
- PROJECT BOUNDARY
- EXISTING CURB & GUTTER
- PROPOSED CURB AND GUTTER
- ▨ PROPOSED CONCRETE SIDEWALK
- ▨ PROPOSED CURB RAMP WITH DETECTABLE WARNING
- ▨ PROPOSED RETAINING WALL
- SS — EXISTING STORM SEWER
- W — EXISTING WATER LINE
- SAN — EXISTING SANITARY SEWER
- GAS — EXISTING GAS LINE
- E — EXISTING ELECTRIC
- PROPOSED STORM SEWER WITH INLET AND MANHOLE
- F — PROPOSED FIRELINE WITH VALVE
- D — PROPOSED DOMESTIC SERVICE LINE WITH VALVE
- S — PROPOSED SANITARY SEWER SERVICE LINE WITH CLEANOUT
- DS — PROPOSED DOWNSPOUT



FINAL DEVELOPMENT PLAN
2255 E. 104TH AVENUE
 A PORTION OF TRACT 43, NORTHGLENN - FOURTEENTH FILING
 LOCATED IN THE SE 1/4, SECTION 11, T. 2 S., R. 68 W., 6TH P.M.,
 CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO



NOTE: SHRUBS AND TREES AT THE NORTH PROPERTY LINE ARE TO BE MULCHED WITH A 2' RADIUS MIN. SHREDDDED CEDAR MULCH RING, AROUND THE BASE OF EACH PLANT



LEGEND

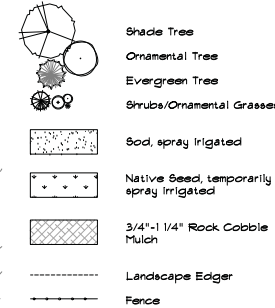


Table of Landscape Coverage		
SF	Percent	Type of Coverage
100,810	100	Total Site Area
25,740	25.5	Area of on-site living material
600	0.8	Area of on-site non-living material
74,470	73.7	Area of paving and structures
12,727	n.a.	Area of living material in public R.O.W.
4,288	n.a.	Area of non-living material in public R.O.W.
11,510	n.a.	Total of spray irrigated area
2,215	n.a.	Total of drip irrigated area
24,675	n.a.	Total of temporarily spray irrigated area

GENERAL NOTES:

- THE DEVELOPER, HIS SUCCESSORS AND ASSIGNS, SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL LANDSCAPING MATERIALS SHOWN OR INDICATED ON THE APPROVED SITE PLAN OR LANDSCAPE PLAN ON FILE IN THE PLANNING DEPARTMENT. LANDSCAPING WILL BE INSTALLED AS DELINEATED ON THE PLAN, PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
- ALL LANDSCAPED AREAS AND PLANT MATERIAL, EXCEPT FOR NON-IRRIGATED NATIVE, RESTORATIVE AND DRYLAND GRASS AREAS MUST BE WATERED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. IRRIGATION SYSTEM DESIGN, INSTALLATION, OPERATION AND MAINTENANCE SHALL CONFORM TO REQUIREMENTS FOUND IN THE CITY OF NORTHGLENN IRRIGATION ORDINANCE. IRRIGATION PLANS SHALL BE SUBMITTED WITH APPROVED LANDSCAPE PLAN. TURF AREAS ARE ZONED SEPARATELY FROM PLANTING BEDS AND NATIVE SEED AREAS AND VARIOUS HYDRO-ZONES ARE IRRIGATED BY SEPARATE IRRIGATION ZONES ACCORDING TO THE WATER DEMAND OF THE PLANT MATERIAL. TURF AREA HEADS ARE TO BE INSTALLED 80 AS TO PROVIDE HEAD TO HEAD COVERAGE. DRIP IRRIGATION IS TO BE PROVIDED TO SHRUB AREAS.
- ALL SOIL, INCLUDING IN THE TREE LAWN, SHALL BE RTF FESQUE.
- PLANTING BEDS SHALL BE MULCHED WITH 3/4\"/>

SUGGESTED PLANT LIST:

QUANTITY	SYMBOL	COMMON NAME	LATIN NAME	SIZE	MATURE SIZE (HxW)	CONT.	WATER USE
DECIDUOUS TREES							
4	IH	IMPERIAL HONEYLOCUST	GLEDITSIA TRIACANTHOS 'IMPERIAL'	20' GAL	35' X 35'	54B	MEDIUM
ORNAMENTAL TREES							
4	AB5	AUTUMN BRILLIANCE SERVICEBERRY	'AMELANCHIER GRANDIFLORA' 'AUTUMN BRILLIANCE'	15' GAL	20' X 18'	54B	LOW
EVERGREEN TREES							
4	AP	AUSTRIAN PINE	PINUS NIGRA	5'	50' X 35'	54B	LOW
5	BP	BONIAN PINE	PINUS HELDREICHII	5'	20' X 12'	54B	LOW
2	CB5	COLORADO BLUE SPRUCE	PICEA PENSILVENSIS	5'	50' X 25'	54B	MEDIUM
DECIDUOUS SHRUBS							
9	AUS	ANTHONY WATERER SPIREA	SPIRAEA JAPONICA 'ANTHONY WATERER'	2.5' X 3.5'	9 GALLON	MEDIUM	
6	CPL	COMMON PURPLE LILAC	SYRINGA VULGARIS	15' X 10'	9 GALLON	LOW	
6	DBC	DWARF BLACK CHOKERBERRY	STYRAX HELANCOLARPA 'BLACKGOLD BEAUTY'	3' X 3'	9 GALLON	MEDIUM	
3	DN	DWARF NINEBARK	PHYSCARPUS OPILOFOLIUS 'NANUS'	4.5' X 4.5'	9 GALLON	LOW	
4	GL5	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	2.5' X 6'	9 GALLON	LOW	
10	GYC	GREEN MOUND CURRANT	'RIEBS ALPINE' 'GREEN MOUND'	3.5' X 2.5'	9 GALLON	MODERATE	
6	MY	MOHICAN VIBURNUM	VIBURNUM LANTANA 'MOHICAN'	1' X 1'	9 GALLON	LOW	
12	NN	NATIVE NINEBARK	PHYSCARPUS MONOGYNUS	3.5' X 3.5'	9 GALLON	LOW	
5	REG5	REGENT SERVICEBERRY	'AMELANCHIER ALNIFOLIA 'REGENT'	6' X 5'	9 GALLON	LOW	
5	SB	SASKATOON SERVICEBERRY	'AMELANCHIER ALNIFOLIA'	8' X 8'	9 GALLON	LOW	
EVERGREEN SHRUBS							
26	ACJ	ALPINE CARPET JUNIPER	JUNIPERUS COMMUNIS 'ALPINE CARPET'	9" X 3.5"	9 GALLON	LOW	
11	AI	ARMSTRONG JUNIPER	JUNIPERUS CHINENSIS 'ARMSTRONGII'	3.5' X 3.5'	9 GALLON	LOW	
9	SGJ	SEA GREEN JUNIPER	JUNIPERUS X FRITZGERIANA 'SEA GREEN'	5' X 1'	9 GALLON	LOW	
GRASSES/PERENNIALS							
11	LBG	LITTLE BLUESTEM GRASS	SCHIZACHYRIUM SCOPARIUM	3' X 2'	1 GALLON	LOW	
16	MLM	MORNING LIGHT HAIRGRASS	MISCANTHUS SINENSIS	4.5' X 4'	1 GALLON	LOW	

CITY OF NORTHGLENN NOTES:

CITY OF NORTHGLENN STANDARDS AND SPECIFICATIONS, ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL CONFORM TO CITY OF NORTHGLENN UTILITY STANDARDS AND SPECIFICATIONS.

INSTALLATION OF ALL UTILITY TAPS SHALL BE OBSERVED BY CITY OF NORTHGLENN PERSONNEL.

ALL CONSTRUCTION IN THE PUBLIC RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH THE CITY OF NORTHGLENN STREET DRAINAGE STANDARDS AND SPECIFICATIONS.

ALL CONSTRUCTION WITHIN THE PUBLIC RIGHT-OF-WAY SHALL MEET THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990

PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE CITY MUST REVIEW AND APPROVE THE FOLLOWING:

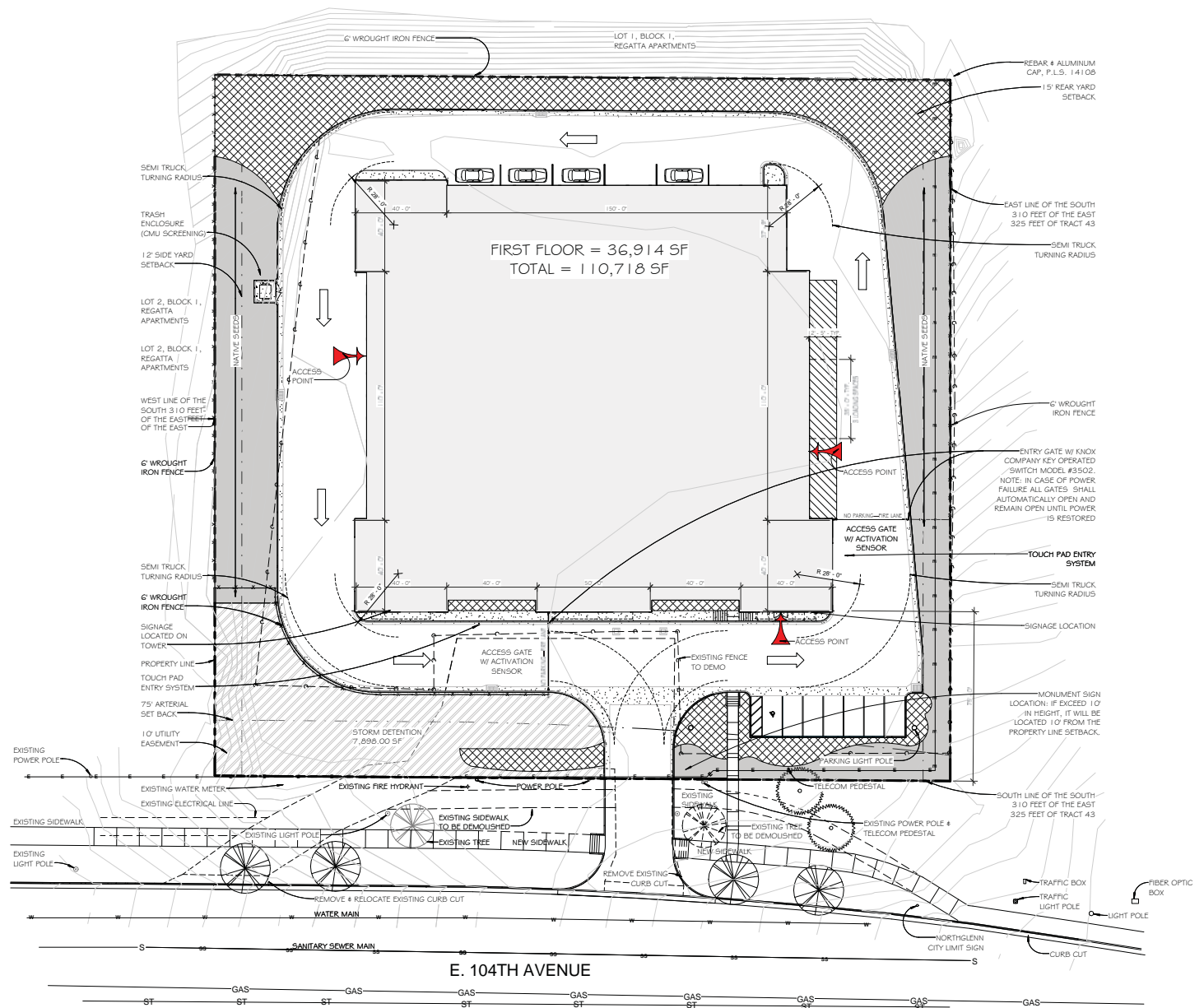
1. GRADING AND DRAINAGE PLAN AND REPORT.
2. EROSION CONTROL PLAN.
3. WATER AND SANITARY SEWER UTILITY CONSTRUCTION PLAN.
4. LANDSCAPE PLAN.
5. IRRIGATION PLAN.
6. COMPLETE CONSTRUCTION PLANS FOR ALL REQUIRED PUBLIC IMPROVEMENTS.

ALL EXISTING METER VAULTS, UTILITY SERVICE LINES APPURTENANCES, STREET CURB, GUTTER, SIDEWALK AND TRAIL ON AND ADJACENT TO THIS SITE BE REPAIRED AS NECESSARY AND BROUGHT TO CURRENT CITY STANDARDS.

STREET LIGHTS ON PUBLIC STREETS ADJACENT TO THIS SITE, IF NECESSARY, SHALL BE DESIGNED AND INSTALLED BY XCEL ENERGY ACCORDING TO THE CITY'S APPROVED STANDARDS AND PAID BY THE DEVELOPER OR PROPERTY OWNER PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY.

LEGEND:

PRIMARY LANDSCAPE ZONES	
SECONDARY LANDSCAPE ZONES	
STORM DETENTION	
FUTURE RTU	
WROUGHT IRON FENCE	
ELECTRICAL LINE	
SANITARY SEWER	
WATER MAIN	
GAS MAIN	
EXISTING FENCE - TO BE DEMOLISHED	
TO BE DEMOLISHED	



REVISIONS:

No.	Date	Description
1	6/28/16	FDP REVISION 1
2	6/28/16	FDP REVISION 2

SHEET ISSUE DATE:
07/01/16 - FDP

PROJ. NO. 1505
O. ARCWEST ARCHITECTS, INC.

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
A0.2

CITY OF NORTHGLENN NOTES:

CITY OF NORTHGLENN STANDARDS AND SPECIFICATIONS, ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL CONFORM TO CITY OF NORTHGLENN UTILITY STANDARDS AND SPECIFICATIONS.

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PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE CITY MUST REVIEW AND APPROVE THE FOLLOWING:

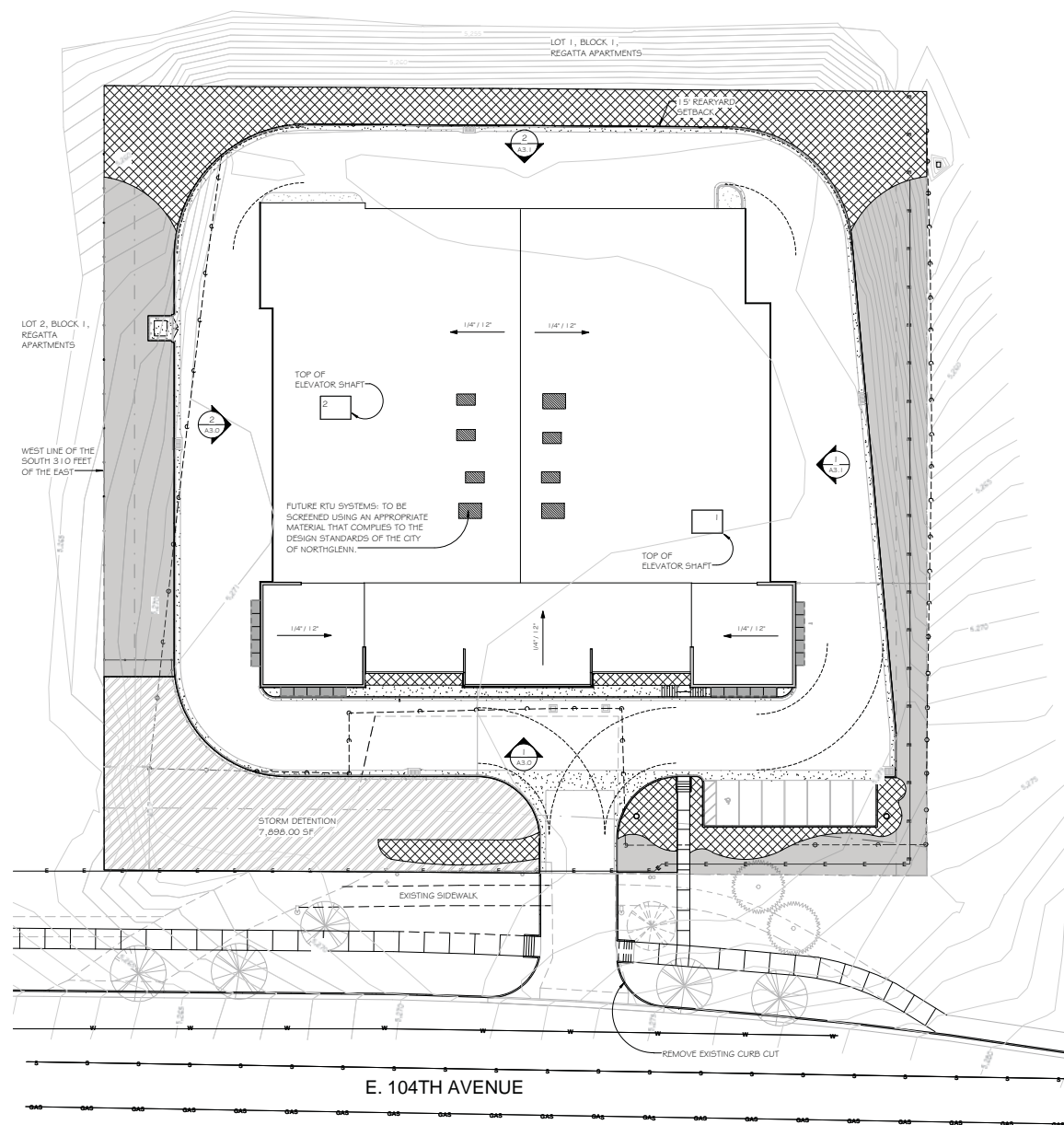
1. GRADING AND DRAINAGE PLAN AND REPORT.
2. EROSION CONTROL PLAN
3. WATER AND SANITARY SEWER UTILITY CONSTRUCTION PLAN
4. LANDSCAPE PLAN
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LEGEND:

PRIMARY LANDSCAPE ZONES	
SECONDARY LANDSCAPE ZONES	
STORM DETENTION	
FUTURE RTU	
WROUGHT IRON FENCE	
ELECTRICAL LINE	
SANITARY SEWER	
WATER MAIN	
GAS MAIN	
EXISTING FENCE - TO BE DEMOLISHED	
TO BE DEMOLISHED	



ARCWEST
ARCHITECTS

2406 W. 32nd Avenue Suite A Denver, CO 80211
ARCWESTARCHITECTS.COM 303-455-7741

**NORTHGLENN SELF STORAGE
FINAL DEVELOPMENT PLAN**

2255 E 104TH AVE, NORTHGLENN, CO.

REVISIONS:

No.	Date	Description
1	5/11/16	FDP REVISION 1

SHEET ISSUE DATE:
07/01/16 - FDP

07/01/16 - FDP
PROJ. NO. 1585
© ARCWEST ARCHITECTS, INC.

SHEET TITLE:
ROOF PLAN

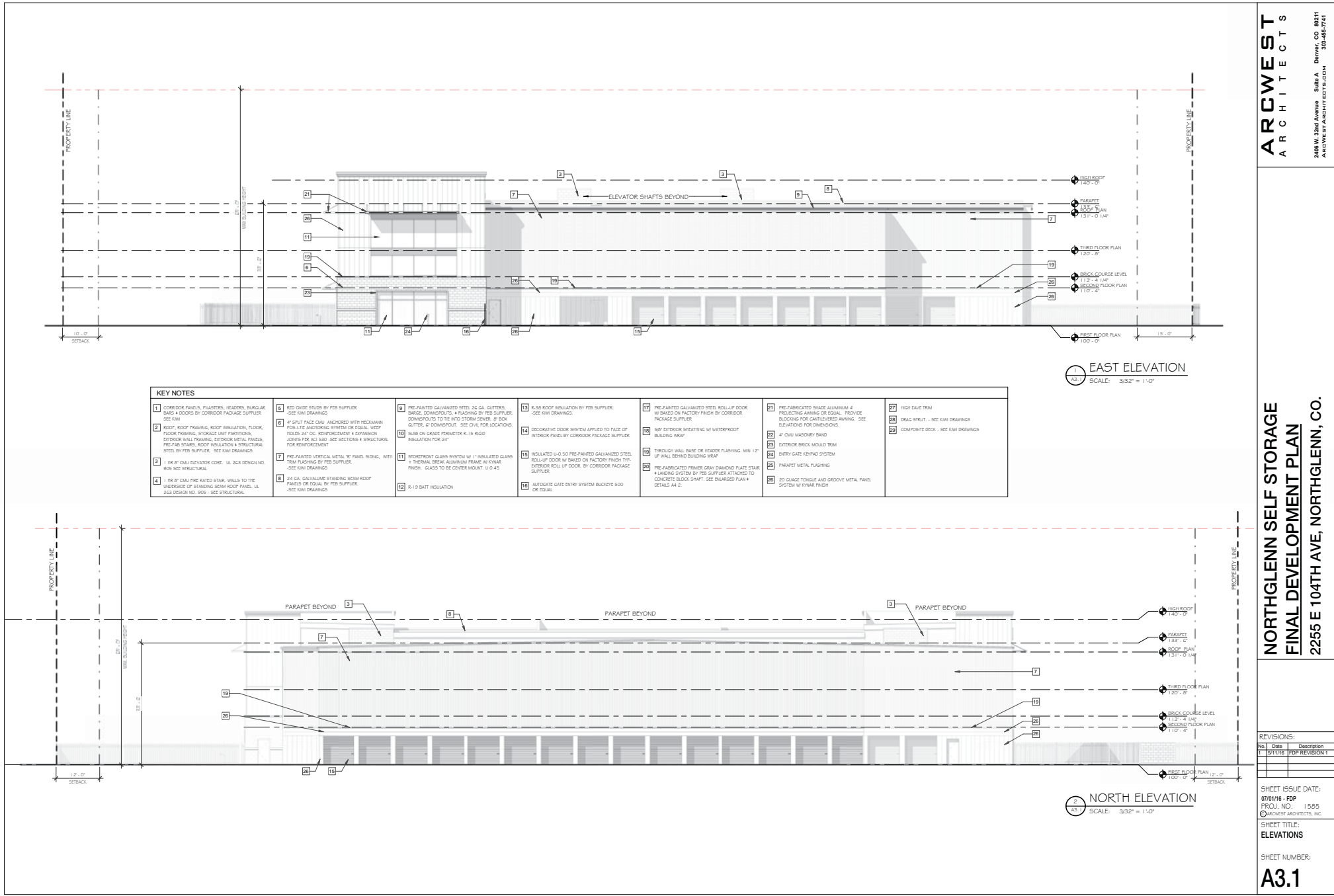
ROOF PLAN

100

SHIFT NUMBER:

A1.0

ROOF PLAN
SCALE: 3/16" = 1'-0"



**RESOLUTION 2016-04
NORTHGLENN PLANNING COMMISSION**

**A RESOLUTION PROVIDING APPROVAL OF THE FINAL
DEVELOPMENT PLAN (FDP) FOR THE NORTHGLENN SELF
STORAGE**

WHEREAS, Northglenn Ordinance 11-6.5-4 requires that the Northglenn Planning Commission review and approve or deny any application Final Development Plan; and

WHEREAS, the Northglenn Planning Commission therefore desires to make its decision as required by law.

WHEREAS, the Planning Commission has found that the application satisfies the applicable criteria for a Final Development plan under 11-6.5-5 of the Northglenn Zoning Ordinance

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City of Northglenn Planning Commission hereby provides approval of the NORTHGLENN SELF STORAGE FINAL DEVELOPMENT PLAN in accordance with the applicable Ordinance 11-6.5-5 with the following conditions:

- 1) Prior to issuance of a building permit, the applicant will complete the following items:
 - a) The applicant will obtain City Council approval to access the site via the City owned parcel between their lot and 104th Avenue through an access easement.
 - b) The applicant will obtain City Council approval of a private sanitary easement through the city owned parcel to connect to the City's main line in Irma Drive.
 - c) The applicant will obtain City Council approval to install and maintain the trail and landscaping proposed on the City owned parcel.
 - d) The applicant will provide proof of dedicated water line easements for the required fire hydrant.
 - e) The applicant will provide proof of a dedicated drainage easement for their pond.
 - f) The applicant will address any NMFRD concerns on the FDP within 90 days of the entitlement approval or the approval will become void.

All of these items will be administered or documented by staff prior to issuance of any building permits.

DATED this _____ day of _____, 2016

Sonia Di Carlo
Planning Commission Chair

ATTEST:

Becky Smith, AICP
Secretary

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-81
Series of 2016

Series of 2016

A RESOLUTION APPROVING A PRIVATE SANITARY EASEMENT AGREEMENT BETWEEN THE CITY OF NORTHGLENN AND 2255 E. 104TH AVE., LLC

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City Council hereby approves the Private Sanitary Easement Agreement between the City of Northglenn and 2255 E. 104th Ave., attached hereto as **Exhibit 1**, and authorizes the Mayor to execute the same on behalf of the City.

Section 2. The Private Sanitary Easement Agreement granted herein shall be automatically revocable and abandoned in the event the City constructs a sanitary sewer main in 104th Avenue that allows the Grantee to connect to said City sanitary main.

DATED at Northglenn, Colorado, this _____ day of _____, 2016.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

EASEMENT

THIS EASEMENT, is made this _____ day of _____, 2016 between **2255 E. 104TH AVE., LLC**, hereinafter referred to as Grantee, party or parties of the first part, and the **CITY OF NORTHGLENN, COLORADO**, a Colorado Municipal Corporation, hereinafter referred to as Grantor, party of the second part.

1. Consideration and Description. In consideration of the payment by Grantee to Grantor of the sum of \$10.00, receipt of which is hereby acknowledged, Grantor hereby grants, conveys, and quitclaims to Grantee, a nonexclusive easement for the construction, maintenance, repair, removal, and replacement of a private sanitary sewer line and appurtenances thereto (the "Facilities"), in, upon, over, under, through, and across that property described in "Exhibit A" attached hereto and hereinafter referred to as the "Easement."

2. Infringement and Correction. Grantee is hereby given and granted possession of the above described easement for the purposes aforesaid, and Grantor agrees that no tree, structure, fixture, improvement, or obstruction above or below ground that will interfere with the purposes aforesaid will be planted, placed, erected, installed, or permitted on the above described easement. Nothing in this section 2 shall be interpreted to prevent Grantor from installing or constructing driveways, parking lots, sidewalks, curbs, private utility service lines crossing at no less than forty-five degree angles, and landscaping other than trees, on, in, or across the easement that do not adversely affect the Facilities or Grantee's use of the Easement.

3. Operation and Maintenance. The operation and maintenance of the Facilities within the Easement shall be the responsibility of the Grantee; provided, however, Grantor shall have the right to maintain the Facilities in the event Grantor provides thirty day written notice to Grantee specifically stating in what manner the Facilities are not being maintained, and if Grantee does not correct such within such time period, Grantor may enter on the Easement for the purpose of operation and/or maintenance of the Facilities. In the event Grantor is required to so maintain or operate of any of the Facilities described herein, Grantee agrees to pay the reasonable cost of such corrective work or other maintenance. Such costs shall be paid by Grantee no later than thirty (30) days after receipt of an invoice from Grantor describing the corrective or maintenance action taken. Nothing in this Section 3 shall prevent Grantor from entering upon the Easement in an emergency situation at Grantor's reasonable discretion to maintain the Facilities, and charge such costs to Grantee.

4. Obligations of Grantee.

a. All work performed by Grantee on the Easement Property shall be done with care, and all damage to Grantor's land and improvements, to the extent said improvements are not constructed or installed in accordance with this agreement, shall be paid for or repaired at the expense of Grantee.

b. Grantee shall protect the Easement Property, from damage caused, in whole or in part, by grossly negligent or intentional acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents. Damage shall not be considered the valid use of the Easement Property by Grantee pursuant to this Agreement.

c. Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by Grantor. Notwithstanding the above, Grantee and its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees may use materials that are generally used for the purpose of operating and maintaining the Facilities provided that such use is in strict conformance with all environmental laws.

5. **Retained Rights.** Subject to the rights of Grantee, Grantor shall have all rights to the Easement Property not granted hereby.

6. **Access.** It is agreed that the easement hereby granted includes the necessary right of access by Grantee across other land of Grantor. Grantee agrees to use care in the exercise of this right and to utilize only, to the extent practicable, driveways and parking lots for access.

7. **Abandonment.** In the event of clear and permanent abandonment of this easement by Grantee, all right, privilege, and interest herein granted shall end, and Grantee shall promptly execute and record an instrument relinquishing all rights under this agreement.

8. **Assignment.** The terms and provisions of this agreement shall be binding upon and shall inure to the benefit of the respective heirs, personal representatives, beneficiaries, successors, grantees and assigns of the parties hereto, and the burdens and benefits of the provisions of this agreement shall be deemed covenants running with said easement.

9. Grantor agrees that in the event the terms of this agreement are violated by Grantor or by any person in privity with Grantor, without Grantee's prior written approval, such violation shall be corrected and eliminated immediately upon receipt of notice from Grantee, and in the alternative Grantee shall have the right to correct and eliminate such violation, and Grantor shall promptly pay the actual cost thereof.

[signatures on following page]

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of _____ A.D., 2016.

Grantor: City of Northglenn

By: Joyce Downing
Mayor

STATE OF COLORADO
COUNTY OF ADAMS

The foregoing instrument was acknowledged before me this ____ day of ____ A.D., 2016

Witness my hand and official seal.

My commission expires _____

Notary Public

Grantee hereby agrees to the terms and conditions of this Easement.

Grantee: 2255 E. 104th Ave., LLC
By: Pamlico Investments, Inc., its Manager

By: _____
Name: _____
Title: _____

STATE OF COLORADO
COUNTY OF ADAMS

The foregoing instrument was acknowledged before me this ____ day of ____ A.D., 2016.

Witness my hand and official seal.

My commission expires _____

Notary Public

Exhibit A

Sanitary Easement

Legal Description

A portion of Tract 41, Northglenn – Fourteenth Filing as platted in the records of Adams County, Colorado at Reception Number 692381, located in the SE ¼, Section 11, Township 2 South, Range 68 West of the Sixth Principal Meridian, City of Northglenn, more particularly described as follows:

Commencing at the northeast corner of said Tract 41;

Thence N89°35'30"W along the north line of said Tract 41, a distance of 70.71 feet to the Point of Beginning;

Thence continuing N89°35'30"W along said north line, 562.08 feet;

Thence through said Tract 41 along the following three courses:

- 1) S45°24'30"W, 37.57 feet
- 2) N89°35'30"W, 222.85 feet;
- 3) N44°35'30"W, 37.57 feet to said north line of Tract 41;

Thence N89°35'30"W along said north line, 16.64 feet;

Thence through said Tract 41 along the following six courses:


- 1) S0°24'30"W, 11.64 feet;
- 2) S44°35'30"E, 49.39 feet;
- 3) S89°35'30"E, 239.42 feet;
- 4) N45°24'30"E, 37.57 feet;
- 5) S89°35'30"E, 553.92 feet;
- 6) N0°02'15"E, 20.00 feet to the Point of Beginning.

Said parcel, as described, contains an area of 17,501 square feet, or 0.40 acres, more or less.

Basis of Bearings

The south line of Section 11 bears N89°35'30"W per the plat of Northglenn – Fourteenth Filing. It is monumented at the East 1/6th Corner, Section 11 by a 3-1/4" aluminum cap. PLS 20155, 1990, in range box and at the SE corner, Section 11 by a 3-1/4" aluminum cap, CDOT, PLS 23516, 1993, in range box.

Certification


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